

EXHIBIT B

From: [Ibrahim, Nadine \(LAW\)](#)
To: [Marquez, Lillian](#); [NYC Law Protest Team](#)
Cc: [rolonlegalteam .](#); [AG-NYPDLitigation](#); [GrayLegalTeam@dwt.com](#); [Payne Litigation Team](#); [sierrateam@moskovitzlaw.com](#); ["Sow-Legal"](#); [Hernandez Team](#); [wood](#)
Subject: RE: [EXTERNAL] Summary of Disciplinary Records Meet and Confer
Date: Friday, September 16, 2022 8:32:53 PM

Lillian,

Please see my responses in red below.

Sincerely,

Nadine Ibrahim
Senior Counsel
Special Federal Litigation Division
The City of New York, Law Department
100 Church Street, 3-187
New York, NY 10007
(212) 356-5037
nibrahim@law.nyc.gov

From: Marquez, Lillian <Lillian.Marquez@ag.ny.gov>
Sent: Wednesday, September 14, 2022 2:29 PM
To: Ibrahim, Nadine (LAW) <nibrahim@law.nyc.gov>; NYC Law Protest Team <NYCLawProtestTeam@law.nyc.gov>
Cc: [rolonlegalteam .](#) <rolonlegalteam@aboushi.com>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; [GrayLegalTeam@dwt.com](#); [Payne Litigation Team](#) <paynelitigationteam@nyclu.org>; [sierrateam@moskovitzlaw.com](#); 'Sow-Legal' <sow-legal@blhny.com>; [Hernandez Team](#) <hernandez@femmellaw.com>; [wood](#) <wood@klflaw.com>
Subject: [EXTERNAL] Summary of Disciplinary Records Meet and Confer

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Nadine,

Thanks for looking into those items for yesterday's meet and confer. To summarize and confirm where I believe we are:

- By Friday, September 16, you will:
 - Provide a date by which you will tell us both if there are additional DOA files for any of the incidents/officers listed in Exs. A & B and by a date for production of those files.
 - All the protest related CCRB and IAB files for the officers listed in exhibits A and B have already been produced. We have requested the DOA files and they have indicated it is a substantial amount of

information to gather, they anticipate they can get it to us within 30 days.
It will take us a couple weeks after that to produce the files.

- Confirm that IAB files, the like which we have been receiving, contain any investigative material/documents from NYPD commands to which IAB referred any protest investigation.
 - [I gave the example of Sgt. Ciota, whose interview audio file seemed to have stayed with the Patrol borough command and not IAB. I will try to find additional examples.]
 - I have confirmed that they do. If there are any IAB files where you believe something is missing, please let me know and I will look into it.
- Provide a date by which you can produce to us the updates on all closed CCRB (save one which is still pending).
 - We received the updates from CCRB this week, however, they are quite voluminous so they will take some time to upload to relativity and review. We anticipate these can be produced within 30 days, by October 14.
- Provide a timeline from APU as to when they can provide files for the cases that have at least gone through trial (at least some of which are noted in the May '22 CCRB Snapshot) and, if immediate production is not feasible, whether rolling production starting in September is. Please also advise as to what we can expect is included in those APU files.
 - We received 71 charges and specification documents from CCRB, which we will produce by October 14, 2022. CCRB is still working on sending us the APU files that have closed. The APU files typically include charges and specifications and plea agreements. If a trial was held, the file would include trial transcripts and any trial materials. We will produce the files on a rolling basis as we get them from CCRB.
- Separately advise whether APU will treat file requests as ongoing so they will produce files for cases that settle or finish trial immediately without further requests.
 - CCRB does not have the capability to give us regular updates to APU files. A request needs to be made to them periodically.
- We also pointed out the lack of deviation memos in previous productions of APU cases and ask that both those and future productions contain those memos.
 - We are working on getting the deviation memos from DOA.

Separately, we noted that we would circle back regarding our request for NYPD investigation files which, per the information you provided, were not tagged as protest related and searched solely based on officer names and/or the log numbers from a DOI list that goes to June 19, 2020. In light of these limitations, we ask that:

1. Defendants search for IAB/NYPD investigations concerning events that occurred at any of the locations highlighted in our ARGUS maps post June 19. I have attached them here for convenience. In addition, I think for efficiency it makes sense for Defendants to simultaneously search for records pertaining to the Rolon dates/locations as they have requested them: September 12, 2020 around 4925 Broadway, New York, NY and February 12, 2021 around 54th street

and 6th avenue, New York, NY.

1. We sent the information to IAB and they indicated they will need 30 days to run the requested searches. We will update you once their search is complete.
2. Defendants provide an affidavit stating the that there was no the person performing this search was unable to do a broader search for protest-related investigations given the above system limitations and that what will have been produced at the end of this search is the sum total of the IAB/NYPD investigations concerning the protests that could be located.
 1. We will provided an affidavit after the searches are complete.

Further, given the delays attendant with the disciplinary trials and the concern you expressed of producing APU/DOA files in pending cases (i.e., cases that have not settled or are pre-trial), we ask that at least settlement offers be produced to us. Please let us know when you think those can be produced. We have conferred with CCRB and they will not produce settlement offers in ongoing prosecutions.

Thank you,

Lillian Marquez | Assistant Attorney General

New York State Office of the Attorney General, Civil Rights Bureau
28 Liberty St., New York, NY 10005

Tel: 212-416-6401 | lillian.marquez@ag.ny.gov | www.ag.ny.gov

Pronouns: She/Her/Hers

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